

LOS ANGELES POLICE COMMISSION

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May 19, 1999

Honorable Council members
Council of the City of Los Angeles
c/o City Clerk's Office
Room 615, City Hall East
200 N. Main Street
Los Angeles, CA 90012

MODIFICATION OF EXISTING PRIVATE PATROL ORDINANCE

At a regular meeting of the Board of Police Commissioners held May 18, 1999, this Board considered and approved the enclosed recommendation relative to modifying and/or exempting Business Improvement Districts from existing City Ordinance LAMC 52.34. The Board also requested that the City Attorney draft the proposed Ordinance changes.

The Board requested that this matter be transmitted to your office for further processing.

Very truly yours,
BOARD OF POLICE COMMISSIONERS

A handwritten signature in cursive script, appearing to read "Lupe Ortiz".

LUPE ORTIZ
Commission Executive Assistant

Encl.

cc: Mayor's Office
Chief of Police

INTRADEPARTMENTAL CORRESPONDENCE

May 12, 1999

BOARD OF
POLICE COMMISSIONERS

Approved 5-18-99
Secretary *[Signature]*

TO: Board of Police Commissioners

FROM: Executive Director Police Commission

SUBJECT: **BUSINESS IMPROVEMENT DISTRICTS - MODIFICATION OF
EXISTING PRIVATE PATROL ORDINANCE/POLICE COMMISSION
RULES**

It is recommended that the Board of Police Commissioners approve the following proposed amendments to the Private Patrol Ordinance/Police Commission Board Rules.

Background:

On May 4, 1999, the Board of Police Commissioners requested that the Executive Director and staff meet again with representatives from the Business Improvement Districts (BID) to attempt to gain consensus on modification and/or exemption of BIDs from existing City Ordinance LAMC 52.34 and Police Commission Board Rules. The meeting was held on May 12, 1999, and an agreement was reached, except for the BIDs' standing objection in two areas. The BIDs maintain that State law exempts them from regulation and that the Police Commission should not have the right to approve uniforms. The City Attorney is due to report on the former in the near future. In the event the City Attorney does not agree with the BIDs, there is agreement on the following recommendations unless noted otherwise.

Discussion:

It was agreed to by all parties that the easiest way to accommodate the BIDs' innovative approach to private patrol security is to add a new section under LAMC 52.34 which would address the BIDs security forces as a separate entity. This would leave the existing ordinance intact for private patrol services which are not part of a BID.

The new section should read as follows:

52.34(a)(3) Business Improvement District Street Patrol Person (BIDSPP)

As defined in State Law 7532.1(f) "A street patrol person, within the meaning of this chapter, is a security guard or security officer employed by a private patrol operator who performs the functions described in subdivision (a) by street patrol service utilizing foot patrol, motor patrol, or other means of transportation in public areas, streets or public thoroughfares in order to serve multiple customers."

52.34(d)

(1) Permits

In addition to the required State regulations, BIDSPP are required to obtain a Police Commission Permit.

Note: The BIDs do not feel they must obtain a Commission Permit and the waiver of fees is within the purview of the City Council.

(2) Uniforms, Equipment, Etc.

Uniforms, equipment, badges, insignia must comply with State law. No badge, insignia or uniform shall be used or worn while on duty as a BID Street Patrol Person, which is of such a design as to be mistaken for an official badge, insignia or uniform worn by a law officer of any city, county or state agency. BIDSPP uniforms will be distinct in nature and will clearly distinguish the officer as a Business Improvement Street Patrol Person with the District name and/or logo clearly displayed. The uniform shall be approved by the Police Commission.

Note: The BIDs do not want the Commission to approve their uniforms.

(3) Weapons and Ammunition

All BIDSPPs who carry weapons shall be trained and qualified in the carrying and use of firearms in accordance with applicable State laws.

(4) Motor Vehicle

Vehicles utilized in patrol by BIDs shall not be mistaken for an official vehicle of any city, county or law enforcement agency and shall be approved by the Police Commission. A list of all vehicles, vehicle license numbers and State identification numbers shall be furnished to the Police Commission.

Note: The BIDs do not want the Commission to approve their vehicles.

(5) Reports to the Police

All incidents of felonies, high grade misdemeanors and any arrests shall be reported to the Police in a timely manner, as determined by the Area Commanding Officer. BIDs will provide timely statistical information on minor misdemeanors, traffic offenses and infractions handled by BIDSPPs to their local Police Area.

(6) Undercover Assignments

BIDSPP may be exempt from wearing the uniform while on an undercover assignment provided that they have in their possession official identification.

(7) Inspections

As required by State law, BIDs shall hold periodic inspections of uniforms and equipment. A record of these inspections may be reviewed by the Police Commission.

(8) Employee List

Employers of BIDSPP officers will submit an officer employee list to the Commission twice a year.

(9) Complaints

BIDs shall forward to the Police Department complaints involving violations of codified laws and Police Commission Board Rules, and they are subject to review by the Police Commission.

(10) Posting of 52.34(d) LAMC

Copies of 52.34(d) shall be conspicuously posted at the BIDs place of business.

Arguments For:

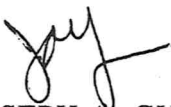
The BIDs play a vital role in promoting public safety and revitalizing an area. It is recommended that the Board approve new LAMC Sections 52.34(a)(3) and 52.34(d).

Arguments Against:

Other private patrol operations and special officers who are not in a BID may perceive the new regulation as being unfair and demand equity.

Recommendation:

It is recommended that the Board of Police Commissioners approve the proposed LAMC Sections 52.34(a)(3) and 52.34(d), to be drafted by the City Attorney, forward this report to the City Council and reaffirm that until the City Council takes action, the Police Commission will continue to cease enforcement efforts against the BIDs.



JOSEPH A. GUNN
Executive Director